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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 DAVID KEITH SCHULT,

11 Petitioner,

12 vs.

13 STATE OF NEVADA, *et al.*,

14 Respondents.
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) 3:12-cv-00001-ECR-VPC
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ORDER

16 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254,
17 by a Nevada state prisoner. Neither a filing fee nor an application to proceed *in forma pauperis* was
18 submitted with the petition. Petitioner must either submit the \$5.00 filing fee for habeas petitions or
19 an application to proceed *in forma pauperis*.

20 **IT IS THEREFORE ORDERED** that this action is **DISMISSED WITHOUT**
21 **PREJUDICE** to the filing of a new petition in a new action.

22 **IT FURTHER IS ORDERED** that the Clerk of the Court shall send petitioner the
23 following: (1) one copy of the habeas petition in the instant action; (2) two copies of an *in forma*
24 *pauperis* application form for a prisoner, with one copy of the instructions for the same; and (3) two
25 copies of a blank 28 U.S.C. § 2254 habeas petition form, with one copy of instructions for the same.
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1 **IT IS FURTHER ORDERED** that petitioner may file a new petition in a new action, but he
2 may not file further documents in this action.

3 **IT IS FURTHER ORDERED** that the Clerk of the Court shall enter judgment accordingly.

4 Dated this 5th day of January, 2012.

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7 UNITED STATES DISTRICT JUDGE